

Board of Probation and Parole

The Board of Probation and Parole contributes to public safety by managing the orderly release and supervision of adult offenders, in such a manner as to promote lawful behavior and minimize risk to the general public. The General Assembly established the Board of Probation and Parole in 1999 by merging the Division of Adult Probation from the Department of Correction with the Board of Paroles. The agency has several functions including conducting hearings, the community supervision of offenders, administration of the Community Corrections Grant Program, and administrative support services.

The Board of Probation and Parole is an independent state board comprised of seven members appointed by the Governor. The board is responsible for determining which offenders will be granted parole and subsequently released from incarceration to community-based supervision. The board members and hearings officers conduct parole hearings at state penal institutions and local jails. Hearings officers are appointed by the Chairman of the Board and make recommendations to the board members. Additionally, the board makes non-binding recommendations to the Governor regarding executive clemency.

The Division of Field Services supervises parolees, as well as offenders placed on probation by the state criminal and circuit courts. Field Services aims to facilitate the reintegration of probationers and parolees into the community, thereby minimizing public safety risk and promoting lawful behavior. Probation and parole officers supervise and monitor offenders to ensure they meet their individual conditions of release and the standards of community supervision. The Division of Field Services is composed of eight districts across the state and has 39 field offices. The district and field offices work closely with other community resources including law enforcement, treatment services, and other non-profit groups to promote overall offender success and public safety.

The board also administers the Community Corrections Grant Program, which diverts felony offenders from incarceration by placing them in locally operated grant programs with intensive supervision, community service work, and victim restitution. Grant dollars fund 19 local agencies responsible for the intensive supervision of probationers sentenced by the courts. These programs emphasize treatment and vary in program type; some are residential programs, while others provide community supervision.

The agency has the following programs:

1. Board of Probation and Parole
2. Community Corrections.

324.02 Probation and Parole Services

The delivery of probation and parole services is accomplished by several agency functions: conducting hearings, the community supervision of offenders, administration of the Community Corrections Grant Program, and administrative support services.

Mandated and Optional Services and Best Means of Providing Them

Tennessee Code Annotated Title 40 Section 28 establishes the Tennessee Board of Probation and Parole (BOPP) and defines the agency's responsibilities related to the parole hearing process and the supervision of offenders. BOPP is engaged in an ongoing effort to find alternate methods of accomplishing the agency's goals, including public/private partnerships, technological advancements, and other innovative approaches.

Three divisions work together to provide hearing services for the agency: the board, the Hearing Officers Division, and the Division of Board Operations. These divisions function to provide several services, including services to victims and family members affected by crime, as well as to other interested parties or the public, which includes notification of hearings, clarification of the hearing process, and referrals to other agencies. These divisions also assure the timely and accurate scheduling of parole hearings and hold parole hearings for eligible adult felons serving sentences in state penal facilities or local jails. Additionally, they assure the timely and accurate processing of decisions resulting from parole hearings and final decisions by board members. The divisions process clemency and pardon requests and make nonbinding recommendations to the Governor on disposition, which include supervising offenders to whom the Governor has granted relief. Finally, they process appellate reviews to ensure parole hearings are conducted pursuant to all applicable statutes, policies, and procedures.

The Field Services Division is responsible for the direct supervision of felons granted parole, as well as offenders sentenced to probation by the courts. At the end of fiscal year 2006-2007, the Field Services Division supervised 55,904 offenders (on both probation and parole), but actually served 75,323 offenders throughout the year. The duties of probation and parole Officers are to supervise and investigate the conduct and progress of probationers and parolees assigned to them for supervision. They also make a report to the board and to the courts on the progress of probationers and parolees, and perform other duties and functions as the board may direct. Violation of any of the conditions of parole is a potential cause for revocation or other sanctions ordered by the board. Probation and parole officers report violations of parole to the board and may make recommendations as to what action should be imposed. In addition, any violation of the conditions of probation is a potential cause for revocation or other sanctions ordered by the courts.

TCA 40-28-201 authorizes the collection of fees from eligible probation and parole offenders. The fees are set at a maximum of \$45 per month based upon income level and hardship factors according to statute. The fees are separated into three funds: supervision, diversion, and criminal

injuries compensation. The supervision and diversion funds are utilized to offset the cost of offender supervision and, based upon state law, may be used to fund personnel, training of agency staff, agency equipment, and providing treatment for offenders. The criminal injuries compensation fund is operated under the auspices of the Tennessee Attorney General's Office. These moneys are utilized to provide financial relief to crime victims or their closest surviving relative for expenses incurred as a result of violent crime.

TCA 41-9 enacted "Community Work Projects for Probationers" in 1984, which is a special condition attached to probation certificates requiring probationers to complete a specified number of work project hours in the community at no expense to the citizens. Community service work is done for non-profit and governmental agencies. The Board of Probation and Parole employs Community Work Project Coordinators throughout the state to oversee community service assignments for the offenders and monitor offenders to ensure that the offenders are reporting to the agencies as agreed.

In July 2004, the General Assembly enacted the "Tennessee Serious and Violent Sex Offender Monitoring Pilot Project Act" in TCA 40-39-301. This statute authorizes the Board of Probation and Parole's use of satellite-based monitoring of offenders using global positioning systems. The agency established the pilot project and worked with Middle Tennessee State University, which performed the program evaluation. The study of 493 sex offenders who were tracked by a Global Positioning System (GPS) for 13 months revealed no statistically significant differences among sex offenders monitored using GPS and other sex offenders in the number of violations, or in the number of days before the first violations. The report determined that the 13-month study period was simply too short a time for the data to show statistical trends or yield any clear conclusions about the overall impact on recidivism. However, the board recommended continuing the study, with additional staff and operational dollars, stating that GPS is "a unique supervision tool that has potential in aiding officers greatly."

Performance Standards

1. Through 2012, the Board of Probation and Parole will improve the offender success rate by decreasing the percentage of probationers and parolees who are revoked by ten percent.
2. By 2012, the Board of Probation and Parole will manage caseloads by increasing the successful offenders reclassified to lower risk levels by ten percent (discounting offenders moved off of "intake" supervision level).
3. By 2012, the Board of Probation and Parole will reduce the number of grant hearings administratively continued by 15 percent.

Performance Measures

1. Percent of total offender population (both probationers and parolees) whose community supervision status is revoked during the fiscal year (not including offenders in the Community Corrections Program).

Actual (FY 2006-2007)	Estimate (FY 2007-2008)	Target (FY 2008-2009)
11.4%	11.2%	11.0%

2. Percent of total offender population (both probationers and parolees) who are reclassified to a lower risk level after exhibiting successful behavior.

Actual (FY 2006-2007)	Estimate (FY 2007-2008)	Target (FY 2008-2009)
8.9%	9.1%	9.3%

3. Percent of all initial parole, parole review, rescission (pre-parole), and custodial hearings that are continued for administrative reasons.

Actual (FY 2006-2007)	Estimate (FY 2007-2008)	Target (FY 2008-2009)
5.8%	5.6%	5.4%

Means of Addressing Any Change in Services Since Previous Plan

There are no changes in services since the last plan.

324.04 Community Correction

In addition to the offenders under the Board of Probation and Parole's supervision, the agency administers the "Tennessee Community Corrections Act of 1985," which was enacted by TCA 40-36-101. The Community Correction Program is intended to provide services and programs in local jurisdictions for eligible felony offenders in lieu of incarceration in state penal institutions or local jails. State grant dollars fund 19 local agencies responsible for the intensive supervision of probationers sentenced by the courts.

Mandated and Optional Services and Best Means of Providing Them

The Community Corrections Grant Programs vary statewide and are designed to serve the needs of the local communities and the judicial districts. Some types of programs are non-custodial community corrections options, short-term community residential treatment options, and individualized evaluation and treatment services as provided in TCA 40-36-302. Local Advisory Boards approve policies and procedures for the programs. Additionally, state law enumerates minimum standards and rules for the programs. The boards are made up of law enforcement staff, criminal court judges, public defenders, district attorneys, sheriffs, and other interested citizens.

Board of Probation and Parole staff has formed a committee with representatives from the 19 contracted Community Corrections Agencies to evaluate supervision services provided by both entities. The committee seeks ways to improve communication, cooperation, and collaboration between BOPP and the Community Corrections Agencies and identify and eliminate any duplication of services where possible.

Performance Standards

1. By 2012, the Community Corrections program will improve offender success by decreasing the percent of the total program population who are revoked from the program prior to successful discharge by five percent.
2. By 2012, the Community Corrections program will improve offender success by increasing the percent of the total population who are successfully discharged from the program by five percent.

Performance Measures

1. Percent of total offender population who are revoked from the program prior to successful discharge.

Actual (FY 2006-2007)	Estimate (FY 2007-2008)	Target (FY 2008-2009)
14.7%	14.6%	14.4%

2. Percent of total offender population who complete the behavioral plan requirements and all court-ordered mandates and are successfully released from Community Corrections supervision.

Actual (FY 2006-2007)	Estimate (FY 2007-2008)	Target (FY 2008-2009)
15.3%	15.5%	15.6%

Means of Addressing Any Change in Services Since Previous Plan

There are no changes in services since the last plan.